

TELEFAX COVER SHEET

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TO: Commissioner for Patents
FAX NO.: (703)-872-9315
FROM: Eamon J. Wall
DATE: September 30, 2003
MATTER: Serial No. 09/458,896 Filed: December 10, 1999
DOCKET NO.: DIVA/038
APPLICANT: BERTRAM

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The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input type="checkbox"/> Petition	<input type="checkbox"/> Transmittal Letter
<input type="checkbox"/> Disclosure Statement & PTO-1449	<input type="checkbox"/> Fcc Transmittal
<input type="checkbox"/> Priority Document	<input type="checkbox"/> Deposit Account Transaction
<input type="checkbox"/> Drawings (<u> </u> sheets) informal	<input checked="" type="checkbox"/> Facsimile Transmission Certificate
<input checked="" type="checkbox"/> REQUEST FOR RCE TRANSMITTAL	dated 9/29/03
<input type="checkbox"/> Petition for Extension of Time	30 cc

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

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LAURA E. CRATER
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30 cc Laura E. Crater 9/29/03
Signature and date

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000.
Provides for continued examination of an utility or plant application
Filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/458,896
Filing Date	12/10/99
First Named Inventor	Michael C. Bertram
Group Art Unit	2665
Examiner Name	Molinari, Michael J.
Attorney Docket Number	DIVA/038

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 Previously filed on 9/8/03
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the appeal brief or Reply brief previously filed on _____
- iii. ☐ Other _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____


2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-0782
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(d)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other any other fees pursuant to 37 CFR 1.16 and 1.17
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	EAMON J. WALL	Registration No. (Attorney/Agent)	39,414
Signature		Date	9/29/03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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